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"NOT GUILTY," SAYS ROGERS WHEN ARRAIGNED IN LAS VEGAS ON CHARGE OF KIDNAPING NEPHEW

Inhuman Uncle Who Admits He Conceived and Assisted in Execution of Plan to Abduct His Two-and-a-Half Year Old Nephew, Waives Bond and He and Joe Wiggins, Ex-Convict, Who Admits He Carried the Baby Off, Are Remanded to the Penitentiary for Safe Keeping: Will Be in Santa Fe Behind Territorial Prison Walls Before Midnight.

NO KIDNAPING LAW ON STATUTE BOOKS: COMMON LAW MAY BE CALLED INTO PLAY

Special Telegram to Evening Herald—Las Vegas, N. M., April 12.—The denouncement of the mystery surrounding the kidnapping of little Wade Rogers, two and a half year old son of Mr. and Mrs. A. T. Rogers, and grandson of Judge Henry L. Waldo, which has been a live issue in Las Vegas for more than two weeks came at 10:30 o'clock last night when Will Rogers, 20 years old, admitted in a written confession that he together with Joe Wiggins, an ex-convict, abducted the baby and held it for the \$12,000 ransom.

The confession by Young Rogers that he had taken the leading part in arranging for the abduction of his nephew did not cause great surprise in this city. Rogers had been shadowed ever since the kidnapping and was strongly suspected all along of being the ringleader in the affair.

Rogers and Wiggins Arraigned

Young Rogers and Joe Wiggins were arraigned before Justice B. R. Murray at 11 o'clock this morning, on a charge of "breaking into and entering a dwelling house and stealing therefrom." There is no kidnapping law on the New Mexico statute books.

A large crowd of people assembled in the little court room when Rogers and Wiggins were arraigned.

"Silent War" Is Blamed.

The confession made by Will Rogers was completed and sworn to before a Notary public shortly after 10:30 o'clock last night. In the confession young Rogers indicates that "Diamond Duck" stories, particularly a novel named, "The Silent War," are responsible for his downfall. Rogers implicates Wiggins in the affair, exculpating all others suspected of complicity. Wiggins, in his confession, secured early this morning claims he had no connection with the kidnapping other than to permit Rogers to use his house for the furtherance of the scheme. Rogers' story follows:

Rogers' Confession.

East Las Vegas, N. M., April 11, 1911.—In the first place I read the "Silent War." I read most of this myself and my brother Albert read some of it to me. That made an impression on my mind and started me in thinking of the plan that finally developed. Some three or four months ago I wrote to Joseph Wiggins at Madrid, N. M., saying that I wanted him to come to Las Vegas, as there was a chance to make some money. I told him to destroy this letter that I sent to him in Madrid. He came to Las Vegas and I stood good for a bill of his at Dantinger's. It amounted to about sixteen dollars. About three or four weeks ago I unfolded to him a plan about holding Mrs. Albert Rogers' child for ransom. I think that this happened at the garage where I keep my automobile. He agreed to co-operate with me in the plan to take the child and keep it for ransom. We carried out the plan as follows: I had a key made, like one of the keys to the front door and gave it to Wiggins on the night of the 28th of March at about 8 p.m. I met Wiggins on the street and gave Wiggins the key that I had made. About 11:30 that same night I let him into the house and came into my room. Mrs. Rogers heard the disturbance in my room and came to the door. Then Wiggins covered me with his gun and pushed me into her room. He wore a mask at this time. He handed me a letter of instruction that had previously been prepared by me. The letter demanded that the child be delivered to him and that I, as soon as \$12,000 was to be given to me, was to come to a point at night, on the Los Alamos road, where the money was to be delivered and instructions concerning the delivery of the child to be also given. Wiggins took the child to his house on the west side, on the same night at about 2 o'clock. I went in my auto to Wiggins' house to see that the child was there and being well taken care of. Milk and other things that the child would need had been provided. The night following having obtained the \$12,000, which I received from my brother Albert, I went in my auto to a point on the Los Alamos road at a point some distance beyond the stockyards. I then returned to the house of Wiggins in West Las Vegas, secured the child and returned him to his mother. The money I received in my automobile until Saturday, April 8. Then I dropped it into a hole in the floor of my brother's house. It remained there until I showed the officers where it was hidden.

No Kidnapping Law.

It developed today, when District Attorney C. W. G. Ward prepared the complaints against Rogers and Wiggins, that there is no kidnapping law on the statute books. They were arraigned on a charge of entering a residence and stealing therefrom, the maximum sentence for which is twelve years' imprisonment. Attorneys here today, however, freely predict that it will be possible to prosecute the men under the common law and that if they are convicted of kidnapping the death sentence may be legally pronounced.

Insanity to Be Defense.

Young Rogers has not yet retained an attorney to defend him but it is understood that temporary insanity will be his defense when he is arraigned for trial. The \$12,000 which the Rogers paid for the return of their baby was discovered last night in a crevice in a chimney in the Rogers' home. Rogers first hid it in his automobile but later took it to his brother's house.

FORNOFF AND OLEARY DIVIDE THE HONORS.

Captain Fred Fornoff of the New Mexico mounted police and Tim O'Leary of the Santa Fe secret service divided the honors for the unravelling of the mystery which pervaded

John to the house of Wiggins. I told John I wanted to inquire about Enrique Sosa or any of the officers that had been by.

John remained in the auto and I went into the house. Previously I had written to Wiggins asking him to destroy everything that was left in the house that was connected with the child. When I went there in my auto on the Saturday of which I have spoken I told Wiggins to be careful. Wiggins' wife was not at home during the time the child was in the house. I had agreed with Wiggins that he was to have two or three thousand dollars as his share of the ransom. I make this statement as the result of my own free will and accord and not as the result of any threats or intimidation. I will add that Joseph Wiggins and myself were the only ones concerned in this matter or that had any knowledge of it.

(Signed) JOSEPH WIGGINS.

Wiggins a Murdered and a Penitentiary Bird.

Wiggins' story of the kidnapping is a rambling affair. He lays the entire blame on the shoulders of young Rogers and says that Rogers never did anything for him beyond "standing good" for a sixteen dollar grocery bill. Wiggins' story is defective in some places and he may make a more complete statement later. His story follows:

Wiggins' Confession.

Las Vegas, N. M., April 12, 2 a. m.—Joseph Wiggins, being duty sworn on his oath, deposes and says: That when H. O. Bursum was sheriff of Socorro county I was deputy sheriff in said county, located in San Marcial. While in that position I shot and killed Erazio Jaramillo on account of his attentions to my wife. I was sentenced to the territorial penitentiary in Santa Fe in 1901 to serve ninety-nine years. The sentence was commuted to twenty years by Governor Otero. In 1909 the governor gave me a complete pardon while I was employed on the scenic highway constructing it. I went to Wyoming in May 1910. I came then to Madrid and got married to Mrs. Louise Baug and remained there until the latter part of February, 1911. While I was in Madrid, I received letters from Will Rogers, whom I had known in Las Vegas for about two years, when I worked on the scenic highway and before I was pardoned and before I went to Wyoming. One letter was sent to me about the tenth of February. That he wanted me to come to Las Vegas, that he could make ten thousand dollars in one night. In a former letter he had said that if I had a house to come to Las Vegas at once. I came to Las Vegas in response to that letter.

I came to Las Vegas about February 23, 1911. After I came, I had a sprained ankle at the time. I went to see Will Rogers at the office of the Agua Pura company and he asked me how I was fixed. I told him, "badly fixed." He went good for me at Dantinger's for sixteen dollars. Dantinger stopped my credit and said he wouldn't let me have any more on Roger's account. I went to see Will Rogers at the Agua Pura company at night. I was going to the place where he keeps his auto, next door to his father's shop during the same day and he told me he wanted to see me at the Agua Pura office that night. I came to the Agua Pura office that same night. There was another fellow asked me for the use of my house, while Rogers went to get two cigars. I told him I wouldn't let him have the house, but he could have the stable if they wanted it, as I was going to stay for three or four days. I went with my wife and three children to the house of my aunt, Selina Leyva, who lives near the cemetery. I stayed there until the morning of March 21. It was Friday morning. When I came back I found a note in the house saying, "Destroy everything you find." The note was signed "W. R." I destroyed it. From the letters I had received from Will Rogers at Madrid he always asked me to destroy them after reading them. So I destroyed those that I found in the house on my return. I found two pairs of baby pantalones, a pair of man's pants, a cap and a mask, a vest, a pair of overshoes, about number seven. That was Friday. I put them in the outside vault, all but the vest and overshoes. The overshoes Mrs. Wiggins burned. Saturday Will Rogers came to my house and John Rogers stayed out in the auto. Will came in and asked me, "Is there any one here but you that can English?" I said "No." My wife was there also. Will said, "Did you destroy everything?" I said "Yes." Will said, "You know me well?" I said "Yes." Will said, "I will make this all right with you." I said then, "You go on and attend to your business. Let me alone." That was all that was said. Apolone Sosa came to my house April 8 and asked me some questions. Sunday afternoon he came back and asked me to come to his house. I promised him I would come back and tell him everything I knew and that would secure that with my neck. He the man who told me how every thing was done. I then told him all I knew on the eleventh of April. Will told him everything I knew and that should have the credit of discovering this matter. I came with him to the castanado because Captain Fornoff sent for me. He said that Tim O'Leary wanted to see me. This is what I know of the matter. I forgot the other things in my house when I returned. A few days after the kidnapping I went to see Will Rogers at the Agua Pura office and he told me to leave the office and he didn't pay me anything. All he has done for me is to stand good for me at Dantinger's for sixteen dollars.

(Signed) JOSEPH WIGGINS.

Witnessed and sworn to before George A. Fleming, Notary Public

CHAMP CLARK TRIES TO KEEP OTHERS IN STRAIGHT PATHS

Democrats Want to Revise Tariff But They Want to Play Politics at the Same Time.

SPEAKER STANDS WITH ULTRA CONSERVATIVES

He Says That "No Sane Man" Would Want to Pass Any Laws Hurtful to Legitimate Business.

Staff Correspondent to The Evening Herald, Room 4, Post Bldg.

Washington, D. C., April 12.—Mr. Clark is the authorized spokesman—as well speaker—for his party in congress various industries of the country, sometimes standard as "special interests," need not cling to the anxious seat, the theory of absolute free trade will not be put into practice, according to him, nor will the ambitious Democracy endeavor to utterly disorganize and then reorganize the government. They haven't the power to do either yet and Mr. Clark suggests that they wouldn't if they could. The most pronounced free traders admit that occasions arise—imperative occasions—wherein incidental protection is required, and the question is therein presented, "When is incidental protection imperative?"

In his speech accepting the speakership, subsequently reiterated in interviews, Mr. Clark said that no "sane man" within the republic would want to pass any laws that would be hurtful to legitimate business enterprises—but—and here the goal to reform the Republican tariff is manifested—no man who has the welfare of the republic at heart wants to collect an exorbitant tariff on articles of general consumption by the American people. The Democrats intend to eliminate the abuses of the Payne-Aldrich tariff, a tariff which provides duties of over 100 per cent on some 300 items, and which forces the ultimate consumer to pay tribute to certain favored interests. But there are "industries" and "interests," a difference which is far greater than a distinction, and between which the tariff-makers are to decide in affording imperative protection.

The "sane man" Mr. Clark refers to can not and should not hope to establish a system of tariff for revenue only, even in the course of years.

"By taking the various tariff laws, beginning with the Morrill act, passed just after the war, we can determine the minimum of duties that will produce the revenue needed by the government," said the speaker. "We will first determine what amount of revenue is needed, and then can decide on the duties that will bring in the amount."

And yet the progressive element of the Democrats are decided in their desire, eventually to change the revenue system of the government to as near a tariff for revenue only basis as it is possible to establish. There is not the slightest doubt but that the importunate duties on trust controlled manufactured articles levied by the Payne law had much to do with the Democratic landslide of last fall, and that Democrat who opposes tariff revision downward—a soft and sane revision—assuredly is uniting political clout for himself.

Mr. Clark suggests again: "The Democratic party is not playing politics. No steam roller is being used on the Republicans. If that party is responsive to the will of the people I do not see how the Republicans can consistently oppose the Democratic program."

He goes without saying that the Democrats are between two strong lines; that these lines must be straight and true, and that to incline too much toward the radicals and their demand for absolute free trade or toward the reactionaries and their demand for protection that is prohibitive, would work havoc for their party now that it is ostensibly in its ascendancy. The Democratic party will play politics in the very nature of things, but it is to be seen how wisely they will play.

A bold prediction recently was made by a prominent Texas representative of growing and highly important western industries, to the effect that if the Democrats succeed in putting cattle and meat products, sheep and wool and woolen goods, and wheat and other farm products on the free list, they will not carry a state west of the Mississippi river in 1912, excepting only Texas, Oklahoma and Arkansas which are safely Democratic. This may be putting it too strongly, for insurgency sprang up in the west and so vigorously assailed the high protection policy of the standpat Republicans that it seemed the consumers, who raised the meat and dairy and sheep and immigrant Republicans and progressive Democrats to succeed reactionary Republicans, faced wiping out the tariff completely and letting the world slide, or perhaps, still.

The proposal to largely agree with Canada for the consideration

of which a Republican president called this special session of congress, destined to be approved, but not until a fight to modify it—finally a successful struggle at that—was made in the senate. The present tariff on beef cattle 90-27½ per cent ad valorem and 1½ cents a pound on fresh meat. The progressive party undertakes to admit meat cattle from Canada free of duty and to reduce the tariff on fresh meat 1½ cents a pound, or to make the duty 1½ cents. There is considerable doubt about the final ratification of the cattle item in this suggested neighborhood arrangement. And it may be forecast here with reasonable safety that cattle will not be placed on the free list in any general tariff law that may be enacted by this congress. It is understood that the two and means committee, with its big Democratic majority, virtually has abandoned the idea of making a clean slash at the cattle raisers of this country.

Theoretically, that is, from an absolute free trade viewpoint, it may be considered unfair discrimination, possibly felonious, to provide any measure of protection to one class of native products and not to all classes, including the steel and sugar trusts. It might as well be written down here and now that the next general tariff law is going to discriminate to a certain extent in favor of infant and needed industries. That is the inference drawn from Champ Clark's assurance that no legitimate business need fear and fume and lose sleep over the tariff disturbance. And while he argues that the Democrats are not playing politics, between the lines can be read, "The Democratic are playing politics," because they know they had better. As already said, while it may be unfair to protect one industry, one "special interest," and not protect all, it will not be circumvented, because it CANNOT be at this stage or the procedure.

Representative Garner of Texas, who has put in the best portion of his time since his arrival here for this session trying to impress on members of the ways and means committee the situation as to the goat and mohair industry, particularly of his state, and the necessity of taking into consideration the incidental protection needed against African, Asiatic and Mexican competition, believes that the tariff on wood will be fixed at from 15 to 20 per cent ad valorem, and from 40 to 50 per cent on manufactured woolen goods. This he believes as a result of numerous interviews with members of the ways and means committee, and is not what he would like to see the rate made. As announced heretofore in dispatches the ways and means committee will hold no hearings on the wooden goods. They think they have enough information on the subject, and possibly have been helped somewhat by the temporary tariff board and spurred on to action by the criticisms of "schedule K." That schedule in the present tariff levies a duty of about 35 per cent on the manufactured article.

Each little step by the Democratic house will be worth close scrutiny. They do not want to trifle on the way and forget the abomination of the big magnate constituents who sent them here; neither do they want to stampede. By taking the various tariff laws, beginning with the Morrill act, passed just after the war, we can determine the minimum of duties that will produce the revenue needed by the government," said the speaker. "We will first determine what amount of revenue is needed, and then can decide on the duties that will bring in the amount."

That is provided the weather man does not interfere. He threatens to do so and being great to the fans in a number of cities. At Chicago losers of the national game this morning looked gloomily at the rain-sodden streets. So did the rest of us, strolling, Cincinnati and Louisville, while Washington where President Taft has been in full training for the purpose of heralding the first ball from his bat in the new concrete grandstand, the overcast skies and a prediction of rain brought gloom to the hearts of the enthusiasts.

But in other cities of the big leagues conditions are favorable and the prospects are for record-breaking crowds at the opening games. In the National League Brooklyn plays at Boston, St. Louis at Chicago, Philadelphia at New York and Pittsburgh at Cincinnati. In the American League Boston opens at Washington, Chicago at Detroit, Cleveland at St. Louis and New York at Philadelphia.

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